

CIVIL DOCKET  
UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS				
AMERICAN EXCHANGE BANK, Collinsville, Oklahoma,  Plaintiff,  vs.  DICK CESSNA,  Defendant.		For plaintiff:  David L. Sobel 1501 Fourth National Bank Building Tulsa, Oklahoma 74119 918/587-0141          For defendant:  Morris and Morris Richard W. Morris, J.D. 1291 West Main St. El Cajon, Calif 92020  Dick Cessna Cessna Ranch P.O. Box 127 Ramona, Calif. 92065  <del>Huffman, Arrington, Scheurich &amp; Kible</del> <del>Fifth Floor, Okla. Natl Bldg., Tulsa</del>  <del>John A. Gaberino, Jr. 585-8141</del> <del>Fifth Floor, Okla. Natural Bldg.</del> <del>Tulsa, OK 74119</del> <i>withdrawn</i> Michael L. Green, 725 Wright Bldg Tulsa, Okla 74103 - for Dick Sessna <i>587-0174</i>				
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.	
J.S. 5 mailed <i>8-1-73</i>	Clerk	7-27-73 8-2-73	T.Marsh C.D.No.1	15.00	15 00	
J.S. 6 mailed <i>11-1-74</i>	Marshal					
Basis of Action: Money due on "stopped" check in amount of \$26,000.00.	Docket fee					
	Witness fees					
Action arose at:	Depositions					

DATE	PROCEEDINGS	Date Order or Judgment Noted
7-27-73	Complaint filed and Summons issued. v	
10-2-73	Summons, ret. & filed: served Dick Cessna 9-26-73. (USM \$40.00)g	
10-12-73	Motion for change of venue filed by defendant. h	
10-12-73	Affidavit in support of motion for change of venue filed by def.h	
10-19-73	Minute Order: Ordered that defs. are granted 5 days in which to file brief in support of mo/change of venue, and pltfs. are granted 10 days thereafter in which to respond. (FD-J)rm - ltr written	
10-24-73	Brief of Defendant in Support of Motion For Change of Venue. filed. s	
11-1-73	Mtn. for Extension of Time to reply to Deft's Mtn. for Chg. of Venue until 11-15-73, filed. jj 0 to J	
11-2-73	Certificate of mailing as to motion for extension of time, etc. filed. h	
11-7-73	Order Ext. Time to Pltf. from Nov. 5, 1973 to Nov. 15th, 1973, filed. (FD-J) a	
11-13-73	Brief in opposition to defendant's motion for transfer. a	
11-19-73	Affidavit of Bill Poulos in support of "brief in opp. to def. mo/transfer, filed. rm (w/cert. of mailing, filed)	
12-14-73	Order, filed, denying mo/transfer of def. and directing def. to to answer complaint within 15 days from this date. (FD-J)rm (due 12/29/73)	
12-28-73	Motion of def. for ext. of time to plead or ans., filed. rm	
12-28-73	Order allowing ext. of time to 1/17/74 to ans. (JCS-Clk) rm	
1-15-74	<u>Ans. of Deft.</u> Richard D. Cessna, to Complaint, filed. v	
3-22-74	MO: Ordered by the Court that this case is set for Pre-Trial on 4-16-74 at 10:30 A.M. (FD-J)v -docket mld. to parties.	
3-22-74	Interrogatories of Amer. Exchange Bank, filed. e	
4-5-74	Motion to withdraw as attorneys for defendant, filed. o to J ds	
4-16-74	Pre-trial hearing held. Parties represented by counsel of record. Mo/withdraw of def. counsel signed, to be filed 4/17/74. Ct. allows local counsel to withdraw but Mr. Morris, Calif., required to remain and obtain new local counsel within 20 days. Pltf. atty. directed to file PT Order. Case set on non-jury docket. (FD-J)rm	
4-17-74	Order, filed, allowing attys. Gaberino and Sharp to withdraw as counsel for def.; further that def. Cessna and his Calif. atty are given 20 days to obtain new local counsel. (FD-J)rm - copies mailed	
5-9-74	Letter from Mr. Morris, requesting 30 days to seek counsel, filed. e	
5-9-74	Order filed, granting deft. to 6-10-74 to engage local counsel, w/ the provision that judgment will be entered in favor of pltf. if deft fails to comply w/ this order. (FD-J)e Copies mailed	
5-24-74	Pre-trial order, filed. (FD-J) cpies mailed. g	
6-11-74	MO: Ordered by the Court that def. is granted until 6/24/74 to engage local counsel. (FD-J)rm - ltr. written	
6-24-74	Entry of appearance of Michael L. Green for defendant, filed. ds	
7-25-74	Case set for non-jury trial for 9/9/74 at 9:30 a.m. (FD-J)rm -notice md.	

(continued)

D. C. 110A Rev. Civil Docket Continuation

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DATE	PROCEEDINGS	Date Order or Judgment Noted
8-2-74	Letter, dated 7-31-74, from David L. Sobel to Judge Daugherty requesting case be continued to next non-jury docket in Tulsa after 10-1-74 for the reason that Pltf's witness, Wm. S. Flanagan, Jr., will be out of the state until after that time, filed.k	
8-2-74	Letter from Judge Daugherty, dated 8-1-74, to David Sobel w/ copy to Michael Green, suggesting a deposition be taken of Mr. Flanagan so that the case may be tried as it is presently scheduled, filed.k	
8-16-74	Ltrs., filed, between counsel & FD, dated 8/13 and 8/15/74, Ct. denying req. for continuance of non-jury trial. (FD-J)rm	
8-29-74	Amended answer to complt. of def., filed, w/court approval.(FD-J)rm	
9-5-74	Trial Memorandum Brief of pltf, filed. lm	
9-6-74	Deposition of William S. Flanagan, Jr. on behalf of pltf., filed. (\$58.50)g	
9-9-74	Non-jury trial held. Pltf. & def. rep. by counsel of record. Parties announce ready. Statements made; witnesses sworn & testify; exhibits admitted. Deft. mo/dismissal denied; def. exception allowed. Closing arguments made. Parties directed to submit time record & rates, re issue of atty fees by 9/11/74. Case taken under advisement. (FD-J) (Tim Holmes, Ct. reprtr.) rm	
9-10-74	Schedule of hours expended, filed by deft. atty. k	
9-11-74	Itemized statement of atty fees, filed by pltf. rm	
10-3-74	Memorandum Opinion, filed and entered, that pltf. is entitled to recover judg. against def. in amt of \$12,320.61; pltf. is entitled to atty fee of \$3,510, and pltf. directed to prepare a judgment and present same to Court by 10/13/74. (FD-J)rm - copies mailed	
10-10-74	Judgment, filed and entered, that pltf. is awarded judg. against def. in amt. of \$12,320.61, w/int. from date of judg. at 10% per annum and atty. fee in amt. of \$3,510.00. (FD-J)rm - copies mailed	

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